

PUBLISHED _____
ZONING HEARING December 15, 2016
FIRST READING April 19, 2016
PASSED _____

AN ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BLUE RIDGE, GEORGIA; TO PROVIDE ZONING REGULATIONS REGARDING SOLAR ARRAYS, SOLAR ENERGY SYSTEMS, AND SOLAR ENERGY FACILITIES; TO PROVIDE DEFINITIONS; TO DESIGNATE ZONING DISTRICTS WITHIN WHICH SOLAR ENERGY SYSTEMS ARE PERMITTED AS USES AND CONDITIONAL USES; TO PROVIDE ADDITIONAL REQUIREMENTS AS TO USES OF SOLAR ENERGY SYSTEMS; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Blue Ridge, Georgia is authorized by O.C.G.A. § 36-66-1, et seq. and the City Charter, to exercise its police power to enact zoning ordinances and regulations as to land use as to property within the City of Blue Ridge, Georgia; and

WHEREAS, the City Council of the City of Blue Ridge, Georgia desires to update its zoning regulations and policies regarding the erection, alteration, and construction of solar arrays and solar energy systems within the City of Blue Ridge, Georgia;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Blue Ridge, Georgia, and it is hereby ordained by the above-referenced authority, as follows:

SECTION 1. AMENDMENT OF THE ZONING ORDINANCE.

This ordinance shall amend the Zoning Ordinance of the City of Blue Ridge, Georgia, to add new provisions regarding solar arrays and solar energy systems, and with those new provisions to read as follows:

(1) Definitions.

“Article 2 – Rules and Definitions” of the Zoning Ordinance is hereby amended by adding the following as definitions to the Zoning Ordinance, and which shall read as follows:

Photovoltaic (PV) Systems: A solar energy system that produces electricity by the use of semiconductor devices, called photovoltaic cells that generate electricity whenever light strikes them. Included in a PV system are the solar energy generation mechanisms (Panels, etc.), inverters, batteries and battery systems that store electrical energy from the PV system for future use, meters, and electrical transmission wires and conduits that facilitate connections with users and/or the local power grid.

Solar Array: A number of photovoltaic modules or panels that generate solar electricity, assembled or connected together to provide a single electrical output.

Solar Array Tracking: A solar array that follows the path of the sun to optimize the amount of solar radiation received by the device. A solar tracking array racking may be ground mounted or building mounted.

Solar Access Easement: A recorded easement, the purpose of which is to secure the right to receive sunlight across real property of another for continued access to sunlight necessary to operate a solar energy system.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector in the form of heat or light by a solar collector or solar energy system.

Solar Energy Facility (Farm): The area of land devoted to solar energy system installation. A solar energy facility may include an interconnection with the local utility power grid for distribution to more than one property or consumer in the electricity market as a commercial venture. A Solar Energy Facility may be allowed in an M-1 district, subject to a conditional use approval.

Solar Energy System: The components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The term applies, but not limited to, photovoltaic (solar electric) systems and thermal solar energy systems.

Solar Energy System, Building Mounted: A solar energy system, which may include solar thermal panels, solar water heating system panels, and photovoltaic panels, which are mounted to a building or structure, to provide energy primarily for on-site use. Building-mounted solar panels may be flush-mounted (i.e., flush to the surface of a building or a building roof or building façade in a manner that the panel cannot be angled or raised), or as one or more modules fixed to frames which can be tilted or automatically adjusted at an optimum angle for sun exposure. The mounting system for building or roof solar systems shall be approved by the Building Inspector or other duly designated agent of the City. The Building Inspector or other duly designated agent of the City shall have to require, for permitting purposes, any architectural or engineered design as deemed necessary to confirm that the mounting system is structurally sound.

Solar Energy System, Ground Mounted: A solar energy system that is directly installed on the ground surface by a properly designed support structure and which is not attached, or affixed, to any structure.

Solar Energy System, Thermal: A solar energy system that directly heats water or other liquid using sunlight, including the use of heated liquid for such purposes as space heating and cooling, domestic hot water and heating pool water.

(2) Table of Permissible and Conditional Uses.

The Table of Permissible and Conditional Uses, being Section 13.1 of the Zoning Ordinance is hereby amended by including all solar systems as being permitted as accessory uses in all districts with the exception of solar farms. A solar farm may only be located within the M-1 zoning districts with a conditional use approval. Therefore, the Table of Permissible and Conditional Uses will appear as including the following additions.

COMMERCIAL ZONES				PERMITTED USES	ADDIT. REQ'MT.	RESIDENTIAL ZONE			
C-1	C-2	CBD	M-1			R-A	R-1	R-2	R-3
X	X	X	X	All solar systems as accessory uses with the exception of solar energy facility or farm	13.2-27	X	X	X	X
			C	Solar energy facility or farm	13.2-27				

(3) Additional requirements for solar array uses.

The Zoning Ordinance is hereby further amended to add a new Section 13.2-27 regarding solar systems, and to read as follows:

Section 13.2-27 Solar Systems.

Roof Mounted – A building-mounted solar energy system shall be subject to the following:

1. In residential zoning districts, a solar energy system shall not be placed on the front slope of a pitched roof of the principal structure. No part of a solar system, when roof mounted, shall extend above the principal ridgeline of the structure upon which it is affixed.

Ground Mounted: No ground mounted solar system shall be located in a front or side yard.

No ground solar system shall extend above a height of twelve feet.

Maximum Area Coverage: For ground mounted solar systems located in residential districts, the area of the solar system shall not cover more than 25% of the footprint of the principal building

to which it is accessory to. For non-residential properties, the solar system shall not exceed 50% of the foot print of the principal building to which it is accessory to.

Solar Energy Facility or Farm: Shall be considered for placement in an M-1 zoned district. Such uses shall be considered as a condition use and subject to the provisions of the Condition Use Approval guidelines.

Set-backs: A solar energy facility and its appurtenant components and structures shall be set back a minimum of 50 feet from all property lines and at least 100 feet from any residence located within a residential district.

Screening: A screening system shall be presented and approved during the Conditional Use Review.

Glare and Lighting: In order to prevent a glare that may constitute a nuisance, solar system components shall be designed with anti-reflective coatings. If lighting is required, it shall be shielded so as to not spill onto adjacent property or roadways.

SECTION 2. **REPEAL OF CONFLICTING ORDINANCES TO THE EXTENT OF THE CONFLICT.**

All parts of ordinances in conflict with the terms of this ordinance are hereby repealed to the extent of the conflict, but it is hereby provided that any ordinance or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof and shall be legally construed to be in favor of upholding this ordinance on behalf of the City of Blue Ridge, Georgia.

SECTION 3. **SEVERABILITY.**

If any paragraph, subparagraph, sentence, clause or phrase, or any portion of this ordinance should be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the provisions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared to be the intent of the City Council of the City of Blue Ridge, Georgia to provide for separate and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

SECTION 4.

EFFECTIVE DATE.

The effective date of this ordinance shall be upon its passage by the City Council

SO ORDAINED, this _____ day of _____, 2016.

BLUE RIDGE CITY COUNCIL

By: _____
Mayor

Councilperson

Councilperson

Councilperson

Councilperson

Councilperson

Attest:

City Clerk Kelsey Ledford

RDS/Ilc/2881/W185015